

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Diana Murray	Team: Team # 3	CCRB Case #: 201200818	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 01/18/2012 4:15 PM	Location of Incident: Columbia Street between West 9th Street and Huntington Street	Precinct: 76	18 Mo. SOL 7/18/2013	EO SOL 7/18/2013	
Date/Time CV Reported Thu, 01/19/2012 11:00 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Thu, 01/19/2012 11:00 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Patrick Quigley	00005	934081	076 PCT
2. POM Richard Aseng	02346	940931	076 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Julio Rodriguez	22668	939344	076 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Patrick Quigley	Abuse: Sgt. Patrick Quigley stopped § 87(2)(b)	
B.POM Richard Aseng	Force: PO Richard Aseng used physical force against § 87(2)(b)	
C.SGT Patrick Quigley	Abuse: Sgt. Patrick Quigley frisked § 87(2)(b)	
D.POM Richard Aseng	Abuse: PO Richard Aseng frisked § 87(2)(b)	
E.SGT Patrick Quigley	Abuse: Sgt. Patrick Quigley searched § 87(2)(b)	
F.POM Richard Aseng	Abuse: PO Richard Aseng searched § 87(2)(b)	
G.SGT Patrick Quigley	Discourtesy: Sgt. Patrick Quigley spoke rudely to § 87(2)(b)	

Case Summary

On January 19, 2012, § 87(2)(b) filed this complaint with the CCRB in person (Enc. 7a-7b). On January 18, 2012, at approximately 4:15 p.m., § 87(2)(b) was walking near the intersection of West 9th Street and Columbia Street, in Brooklyn, when he was stopped by officers. The following allegations resulted:

- **Allegation A: Abuse of Authority – Sgt. Patrick Quigley stopped** § 87(2)(b)
§ 87(2)(b), § 87(2)(g)
- **Allegation B: Force – PO Richard Aseng used physical force against** § 87(2)(b)
§ 87(2)(b), § 87(2)(g)
- **Allegation C: Abuse of Authority – Sgt. Patrick Quigley frisked** § 87(2)(b)
- **Allegation D: Abuse of Authority – PO Richard Aseng frisked** § 87(2)(b)
§ 87(2)(b), § 87(2)(g)
- **Allegation E: Abuse of Authority – Sgt. Patrick Quigley searched** § 87(2)(b)
- **Allegation F: Abuse of Authority – PO Richard Aseng searched** § 87(2)(b)
§ 87(2)(b), § 87(2)(g)
- **Allegation G: Discourtesy – Sgt. Patrick Quigley spoke rudely to** § 87(2)(b)
§ 87(2)(b), § 87(2)(g)

Results of Investigation

Civilian Statements

Complainant/Victim: § 87(2)(b)

- § 87(2)(b)
- § 87(2)(b)

Personal Injury Photograph

On January 23, 2012, § 87(2)(b) submitted a photo of his swollen left ankle to the CCRB via e-mail (Enc. 8e). § 87(2)(b) took the photo himself on an unknown date.

CCRB Testimony

§ 87(2)(b) was interviewed at the CCRB on January 19, 2012 (Enc. 8a-8g). On January 18, 2012, at approximately 4:15 p.m., § 87(2)(b) was running errands in the vicinity of Carroll Gardens, Brooklyn. Within an hour, he dropped his son off at § 87(2)(b), in Brooklyn, and began scouring the neighborhood in search of employment. He stopped at § 87(2)(b) and talked to an employee, § 87(2)(b) about a potential employment opportunity. On this day, he was wearing a zipped-up navy blue hooded sweatshirt under an unzipped heavy black leather jacket, with a black skull hat, jeans, and sneakers (see photo). § 87(2)(b) was not carrying a bag or any item on this day, other

than

the items in his pockets. In his inner chest coat pocket, § 87(2)(b) was carrying two pens, a few folded papers from the New York State Department of Motor Vehicles and a Blackberry cell phone. In his front right pants pocket, § 87(2)(b) had stored his keys. § 87(2)(b) was carrying money in his front left pants pocket and a wallet in his back pants pocket.

§ 87(2)(b) walked down Columbia Street, between West 9th and Huntington Streets, in Brooklyn, to visit a deli on Lorraine Street after meeting with § 87(2)(b). As he was walking, he had his hands entwined underneath his unzipped leather jacket in his sweatshirt's front center pocket to keep warm. While walking on the sidewalk, three plainclothes male officers approached § 87(2)(b) on foot from the opposite direction, from approximately one half of a block away.

Sgt. Patrick Quigley, who § 87(2)(b) identified via his last name and badge number, "5", was described by § 87(2)(b) as a 5'9"-5'10" tall, slim plainclothes white male officer in his early 30's with dark brown hair. Sgt. Quigley stopped walking directly in front of § 87(2)(b) causing § 87(2)(b) to walk around Sgt. Quigley, but Sgt. Quigley prevented him from doing so by putting his hand on § 87(2)(b)'s chest and making the statement, "Where do you think you are going?" or "Where are you going" or "Where are you coming from?" § 87(2)(b) does not recall the exact wording, but noted that he responded that it was none of Sgt. Quigley's business.

§ 87(2)(b) inquired, "Why are you stopping me?" Sgt. Quigley informed § 87(2)(b) that he was "conducting an investigation" and ordered § 87(2)(b) to put his hands on a nearby wall. During this conversation, § 87(2)(b) had taken his hands out of his pockets without being asked by an officer to do so, and they were both resting at his sides. § 87(2)(b) asked whether Sgt. Quigley had "probable cause," to which Sgt. Quigley replied, "Just get your hands on the wall." § 87(2)(b) faced the plywood wall of an abandoned parking lot and Sgt. Quigley placed § 87(2)(b)'s hands on the wall.

PO Richard Aseng, who § 87(2)(b) identified via his last name and badge number, 2346, was described by § 87(2)(b) as a 5'8" tall, 230-pound, muscular, Hispanic male in his 30's. PO Aseng kicked § 87(2)(b) near his left ankle, for a reason § 87(2)(b) believes was to get him to spread his legs. § 87(2)(b) denies refusing to spread his legs, and stated that no officer asked him to spread his legs. § 87(2)(b) sustained a swollen and bruised ankle from being kicked but did not receive medical attention.

PO Julio Rodriguez, who was identified via the investigation, was described by § 87(2)(b) as a 5'6" to 5'7" tall, 180 to 190 pound, Hispanic male officer. PO Rodriguez did not speak to § 87(2)(b) and remained standing a couple feet from the interaction.

While § 87(2)(b) was braced against the wall, Sgt. Quigley reached into § 87(2)(b)'s left and right front pocket, removing a set of keys. After searching § 87(2)(b) Sgt. Quigley frisked his upper body down to his ankles with one hand while the other was placed on § 87(2)(b)'s back. No other objects were removed. Sgt. Quigley stated, "If you take your hands off of the wall, I am going to fuck you up." During the search, § 87(2)(b) stated, "this is bullshit, I am filing a complaint." No other area on § 87(2)(b)'s person was searched and § 87(2)(b) was permitted to take his hands off the wall. During the interaction, an officer did not request § 87(2)(b)'s identification. § 87(2)(b) was released without a summons or arrest.

Attempts to Contact Civilians

On March 13, 2012, contact was established with § 87(2)(b) an employee of § 87(2)(b) who § 87(2)(b) interacted with shortly before the stop. During this phone call, § 87(2)(b) denied witnessing any interaction involving officers and § 87(2)(b).

NYPD Statements

Subject Officer: SGT. PATRICK QUIGLEY

- *Sgt. Quigley was § 87(2)(b)*
- *On January 18, 2012, Sgt. Quigley worked from 9:16 a.m. to 6:00 p.m. as a 76th Precinct Anti-Crime supervisor. He was working with PO Julio Rodriguez and PO Richard Aseng. All officers were in plainclothes and assigned to an unmarked black sedan, RMP # § 87(2)(b)*

Memo Book

On January 18, 2012, at 4:20 p.m., § 87(2)(b) was stopped for a burglary investigation. A stop, question, and frisk report was prepared (Enc. 12a-12b).

CCRB Testimony

Sgt. Quigley was interviewed at the CCRB on July 27, 2012 (Enc. 13a-13b).

On January 18, 2012, at approximately 4:20 p.m., Sgt. Quigley, PO Rodriguez, and PO Aseng observed § 87(2)(b) who Sgt. Quigley recognized from prior burglary arrests and identified via his first and last name. During one prior incident, § 87(2)(b) was caught on camera burglarizing a commercial establishment, and in order to apprehend him, Sgt. Quigley had to chase § 87(2)(b) and overcome his violent resistance to effect his arrest. § 87(2)(b) has been arrested for burglary more than two times in the past two years, and Sgt. Quigley categorized him as a burglary recidivist. In order to better police the area, 76th Precinct officers and supervisors are made aware of recidivists in the area.

Sgt. Quigley observed § 87(2)(b) who was walking on West 9th Street between Columbia Street and Huntington Street, for approximately two minutes. On this street, there is a bodega on the corner, two private residences, a car service commercial building, and a construction store. As § 87(2)(b) passed the window of the bodega, he slowed down and peered into the windows from approximately five inches away. He began to walk away from the bodega, but returned and peered into the bodega's window a second time. The private residences have stairs in front of them, and he didn't go up the stairs, but peered inside from the sidewalk. He did this same action when passing the construction store and the two residences.

§ 87(2)(b) did not appear to have business at any of the establishments, and Sgt. Quigley was unable to recall whether § 87(2)(b) entered any of the businesses. Sgt. Quigley noted that all of the businesses were open. Sgt. Quigley, PO Aseng, and PO Rodriguez exited the vehicle and began to approach § 87(2)(b)

From approximately 5 to 10 feet away, Sgt. Quigley called out to § 87(2)(b) "How are you doing, § 87(2)(b) Can I talk to you for a minute?" § 87(2)(b) did not answer, and continued walking toward Sgt. Quigley. Sgt. Quigley then instructed § 87(2)(b) to stop, and when § 87(2)(b) got within a foot of Sgt. Quigley, Sgt. Quigley grabbed his arms to prevent him from making contact. § 87(2)(b) had tensed his body up and was "acting intimidating." Given that § 87(2)(b) was advancing toward Sgt. Quigley in a manner that suggested he intended to make physical contact, Sgt. Quigley feared that § 87(2)(b) posed a physical threat to him. Additionally, § 87(2)(b) had been violent with Sgt. Quigley in the past when he resisted arrest and attempted to fight Sgt. Quigley, so Sgt. Quigley knew that § 87(2)(b) was capable of posing a physical threat to him.

Sgt. Quigley led § 87(2)(b) to a nearby wall and had him place his hands against the wall. Sgt. Quigley was unable to definitively say who frisked § 87(2)(b) but he believes that he himself conducted the frisk. He frisked § 87(2)(b)'s pockets, chest, arms, legs and waist to rule out weapons, as § 87(2)(b) had exhibited aggressive behavior toward Sgt. Quigley. No contraband was recovered and § 87(2)(b)'s pockets were not entered.

During the frisk, § 87(2)(b) was cursing at the officers, threatening to call IAB to “get money off of them” and “take their jobs.” As Sgt. Quigley was frisking § 87(2)(b) he attempted to take his hands off the wall numerous times. As a result, Sgt. Quigley and PO Aseng held the sleeves of § 87(2)(b)s leather jacket against the wall, and Sgt. Quigley put his hand on § 87(2)(b)s back to press him against the wall. Sgt. Quigley was unable to recall whether § 87(2)(b) refused to spread his legs. Sgt. Quigley did not kick § 87(2)(b) in the leg, nor did he observe PO Aseng do so. § 87(2)(b) did not complain of any injuries or have any visible physical injuries. Sgt. Quigley did not use profanity, or state, “If you take your hands off the wall, I am going to fuck you up.”

Given that Sgt. Quigley already knew § 87(2)(b)s full name, he did not request § 87(2)(b)s ID so that PO Aseng could prepare a stop, question, and frisk report. The officers left the location without issuing § 87(2)(b) a summons or making an arrest.

Subject Officer: PO RICHARD ASENG

- PO Aseng was § 87(2)(b)
- On the day of the incident, PO Aseng worked the same tour and assignment as Sgt. Quigley.

Memo Book

On January 18, 2012, at 4:20 p.m., § 87(2)(b) was stopped at the corner of West 9th Street and Columbia Avenue. He was suspected of burglary, uncooperative and cursing (Enc. 10a-10c).

Handwritten Stop, Question and Frisk Report § 87(2)(b)

Handwritten Stop, Question and Frisk Report § 87(2)(b), prepared by PO Aseng, noted that § 87(2)(b) was stopped on suspicion of burglary after he was seen performing “actions indicative of casing a victim or location.” Physical force in the form of “suspect against wall or car” was used against § 87(2)(b) to overcome his resistance. § 87(2)(b) was frisked, as he was suspected of a violent crime, and he was searched pursuant to the outline of a weapon. PO Aseng noted that § 87(2)(b)s demeanor was “uncooperative and cursing” and remarks made by § 87(2)(b) included “Fuck you” (Enc. 9a-9c)

CCRB Testimony

PO Aseng was interviewed at the CCRB on June 29, 2012 (Enc. 11a-11b). His statement was generally consistent with the testimony provided by Sgt. Quigley, unless otherwise noted below.

At the time of the incident, PO Aseng observed § 87(2)(b) who was identified via the investigation, walking slowly on West 9th Street, and stopping intermittently to look into the windows of the 1st story buildings. § 87(2)(b) remained approximately 5 to 10 feet away from the buildings as he peered inside. After observing § 87(2)(b) for approximately one minute, the officers concluded that he was casing the location. PO Aseng contended that this neighborhood is particularly high in burglaries, and noted that on that specific week there were “a couple of burglaries” in the area.

Sgt. Quigley called out to § 87(2)(b) “Can I talk to you for a minute?” § 87(2)(b) did not respond verbally, and continued to walk past the officers. It appeared as if § 87(2)(b) intentionally bumped Sgt. Quigley in the shoulder with medium force as he walked by, though PO Aseng was unable to recall which of Sgt. Quigley’s shoulders § 87(2)(b) bumped into. As a result, Sgt. Quigley jerked backward but remained standing. PO Aseng determined that § 87(2)(b) posed a physical threat to the officers at this point, and asked him to put his hands on a nearby wall.

§ 87(2)(b) began acting irate and cursing at the officers, though PO Aseng does not recall his exact statements. § 87(2)(b) positioned himself face-first against the wall to be frisked, and PO Aseng does not recall whether § 87(2)(b) attempted to take his body off the wall, or turn around and face the officers. PO Aseng did not use physical force against § 87(2)(b) to get him to comply, or for any other

reason, nor did he see any other officer do so. Specifically, PO Aseng did not kick § 87(2)(b) in an attempt to spread his legs.

The stop, question, and frisk report, which was prepared by PO Aseng, was presented to him during his CCRB interview. The report noted that physical force in the form of “suspect against wall” was used. PO Aseng contended that this box is often checked when an officer merely places his hands on a suspect to direct him toward a wall, which occurred during this encounter. PO Aseng did not observe any physical injuries on § 87(2)(b) and did not hear him complain of any injuries.

Given that § 87(2)(b) bumped into Sgt. Quigley, was cursing loudly, and exhibiting an aggressive demeanor by yelling and acting upset, PO Aseng began to fear for his safety. As such, PO Aseng conducted a frisk of § 87(2)(b) on his arms, legs, and waistband, which he noted were all places he could reasonably find a weapon or a burglary tool. PO Aseng initially stated that he did not recall whether a search of § 87(2)(b)'s pockets took place.

The stop, question, and frisk report was presented to PO Aseng during his CCRB interview a second time, which noted that a search of § 87(2)(b) did in fact take place. At this time, PO Aseng remembered that he may have conducted a search of § 87(2)(b)'s pockets after feeling the outline of a weapon during the frisk. PO Aseng was unable to recall in which pocket he felt the potential weapon or the general shape or size of the object. At the time of the interview, PO Aseng was unable to recall what the foreign object was determined to be, speculating that it was either a wallet or a cell phone. At one point, PO Aseng determined that the object was not a weapon by removing it from § 87(2)(b)'s pocket. No other area of § 87(2)(b)'s person was searched.

§ 87(2)(b) was physically cooperative in being frisked, though he continued to curse. During the course of the frisk, PO Aseng did not hear Sgt. Quigley use profanity, or state, “If you take your hands off of the wall, I am going to fuck you up.”

Witness Officer: PO JULIO RODRIGUEZ

- PO Rodriguez was § 87(2)(b)
- On the day of the incident, PO Rodriguez worked the same tour and assignment as PO Aseng.

Memo Book

On January 18, 2012, at 4:20 p.m., § 87(2)(b) was stopped on the corner of Columbia Street and West 9th Street for possible burglary. Complainant was uncooperative, cursing, and acting out. A stop, question, and frisk report was prepared by PO Aseng (Enc. 14a-14c).

CCRB Testimony

PO Rodriguez was interviewed at the CCRB on May 11, 2012 (Enc. 15a-15b). PO Rodriguez confirmed PO Aseng's contention that, during the time of this incident, a rash of burglaries was occurring at numerous locations within the confines of the 76th Precinct. PO Rodriguez observed § 87(2)(b) with whom he is familiar from previous burglary arrests, walking in the area. § 87(2)(b) was “looking at or in buildings” and the officers were familiar with his criminal history. No other factors were taken into account when the officers decided to approach § 87(2)(b). No other incidents had occurred at the specific time in which the officers were investigating.

PO Aseng and Sgt. Quigley approached § 87(2)(b) and PO Rodriguez waited by the officers' vehicle approximately one car length away from § 87(2)(b). The officers did not block § 87(2)(b)'s path on the sidewalk, nor did any physical contact occur at this time between the two parties. Sgt. Quigley spoke to § 87(2)(b) first, and PO Rodriguez believes that he stated, “When did you get out?” § 87(2)(b) immediately started cursing at the officers and “throwing f-bombs.”

PO Rodriguez believed that § 87(2)(b) was free to leave at this point; however, § 87(2)(b) used his shoulder to bump into Sgt. Quigley and got “pretty close” to Sgt. Quigley's face when he was

yelling. PO Rodriguez was unable to recall where on Sgt. Quigley's body § 87(2)(b) made contact. PO Rodriguez could not approximate how close § 87(2)(b) got to Sgt. Quigley's face. PO Aseng told § 87(2)(b) to back up, and then placed him against a wall to be frisked.

§ 87(2)(b) continued to act combative and curse at the officers while he was against the wall, but he did not physically try to move away from the wall during the frisk. PO Rodriguez did not observe PO Aseng kick § 87(2)(b) nor was physical force used to get § 87(2)(b) to comply, or for any other reason.

PO Aseng frisked § 87(2)(b)'s waist area. To PO Rodriguez's knowledge, PO Aseng frisked him for weapons because he was acting aggressive and combative, and they had to ensure that he did not have weapons. When asked if there were any additional factors that led [the officers] to believe that § 87(2)(b) had a weapon, PO Rodriguez stated, "It's just something we do to be safe." PO Rodriguez did not observe any officer conduct a more thorough search of § 87(2)(b)'s pockets.

PO Rodriguez did not hear Sgt. Quigley or PO Aseng state, "If you take your hands off the wall, I am going to fuck you up," or any use of profanity or a threat of force toward § 87(2)(b). PO Rodriguez did not physically or verbally interact with § 87(2)(b) during this interaction.

NYPD Documents

76th Precinct Stop, Question and Frisk Log

On January 18, 2012, between the hours of 6:00 a.m. and 6:00 p.m., PO Aseng prepared four stop, question and frisk reports pertaining to stops within the confines of the 76th Precinct (Enc. 16a).

Status of Civil Proceedings

- § 87(2)(b) has not filed a Notice of Claim with the City of New York as of September 5, 2012, more than four months past the 90-day filing deadline, with regard to the incident (Enc. 19a).

§ 87(2)(b)

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§ 87(2)(b)

- § 87(2)(b)

Subject Officers CCRB History

- Sgt. Patrick Quigley has been a member of the service for eight years and there are no substantiated CCRB allegations against him (Enc. 5a-5b).
- PO Richard Aseng has been a member of the service for six and there are no substantiated CCRB allegations against him (Enc. 5c).

Conclusion

Investigative Findings and Recommendations

Allegation A: Abuse of Authority – Sgt. Patrick Quigley stopped § 87(2)(b)

It is undisputed that § 87(2)(b) was stopped by Sgt. Quigley. Sgt. Quigley, PO Aseng, and PO Rodriguez observed § 87(2)(b) peering into first story commercial and residential establishments as if he was casing a location for a burglary. Additionally, Sgt. Quigley and PO Rodriguez are familiar with § 87(2)(b) as they have arrested him in the past for burglaries and categorized him as burglary recidivist. Thirdly, PO Aseng and PO Rodriguez noted that this particular neighborhood had experienced a rash of burglaries during that week. PO Aseng documented his suspicion that § 87(2)(b) was involved in a burglary and casing the location in the Stop, Question and Frisk report.

An officer may stop an individual when the officer has reasonable suspicion that the individual has committed, is committing, or is about to commit a crime. Absent reasonable suspicion, an officer may only approach the individual to request information, in the event that the officer has an objective credible reason. People v. DeBour 40 N.Y.2d 210 (1976). (Enc. 1a-1k). Innocuous behavior is insufficient to warrant reasonable suspicion. People v. Thomas 711 N.Y.S.2d 679 (2000). (Enc. 2a- 2f).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation B: Force – PO Richard Aseng used physical force against § 87(2)(b)

§ 87(2)(b) alleged that PO Aseng kicked him in the left ankle in order to get him to spread his legs during the frisk. Although he did not seek medical treatment, § 87(2)(b) experienced swelling and redness, which was documented in a photo supplied to the CCRB (Enc. 8e). PO Aseng denied kicking § 87(2)(b) and Sgt. Quigley and PO Rodriguez denied observing PO Aseng use physical force against § 87(2)(b).

The stop, question, and frisk report, prepared by PO Aseng, noted that physical force was used in

the form of “suspect against wall;” however, PO Aseng contended that this was merely due to an officer guiding § 87(2)(b) against the wall.

§ 87(2)(b), § 87(2)(g)

Allegation C: Abuse of Authority – Sgt. Patrick Quigley frisked § 87(2)(b)

Allegation D: Abuse of Authority – PO Richard Aseng frisked § 87(2)(b)

§ 87(2)(b) alleged that Sgt. Quigley frisked him. Sgt. Quigley stated that he frisked § 87(2)(b) because § 87(2)(b) approached him in an aggressive manner that suggested he was going to make physical contact. PO Aseng contended that he, not Sgt. Quigley, frisked § 87(2)(b) as a result of § 87(2)(b) actually making physical contact with Sgt. Quigley and cursing at the officers. The Stop, Question, and Frisk report noted that § 87(2)(b) was frisked because he was suspected of a violent crime.

An officer must not only fear for their safety, but also believe that an individual is concealing a weapon, in order to perform a frisk. People v. Gonzalez 295 A.D.2d 183 (2002). (Enc. 3a-3b). Merely exhibiting displeasure at being stopped is not a behavior that would provide reasonable suspicion that a person is armed. People v. Square 872 N.Y.S.2d 693 (2008). (Enc. 4a-4d).

§ 87(2)(b), § 87(2)(g)

Allegation E: Abuse of Authority – Sgt. Patrick Quigley searched § 87(2)(b)

Allegation F: Abuse of Authority – PO Richard Aseng searched § 87(2)(b)

§ 87(2)(b) alleged that Sgt. Quigley reached into his front left pants pocket and removed his keys. Although Sgt. Quigley denied conducting a search of § 87(2)(b) he acknowledged conducting a frisk of § 87(2)(b) prior. PO Aseng contended that he, not Sgt. Quigley, conducted a frisk of § 87(2)(b) detected the outline of a weapon, and conducted a search of just that pocket. During his CCRB interview, PO Aseng was unable to recall the size, shape or composition of the object that he believed to be the weapon. The Stop, Question, and Frisk report indicated that § 87(2)(b) was searched pursuant to “the outline of a weapon.”

§ 87(2)(b), § 87(2)(g)

Allegation G: Discourtesy – Sgt. Patrick Quigley spoke rudely to § 87(2)(b)

██████████ alleged that Sgt. Quigley stated to him, “If you take your hands off of the wall, I am going to fuck you up,” as he was conducting a frisk. Despite his denial that he made the aforementioned statement, Sgt. Quigley acknowledged that § 87(2)(b) ██████████ continually removed his hands from the wall as he was being frisked. PO Aseng and PO Rodriguez denied hearing Sgt. Quigley make the alleged statement or use profanity during this encounter.

§ 87(2)(b), § 87(2)(g)

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Team: 3

Investigator: _____ Diana P. Murray _____ 03/14/2013
Signature Print Date

Supervisor: _____

Title/Signature	Print	Date

Reviewer: _____

Title/Signature	Print	Date
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Reviewer: _____

Title/Signature	Print	Date
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